



March 29, 2022

**Via Email Only (mayor@scarsdale.com; sahuja@scarsdale.com;
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Hon. Jane E. Veron and
Members of the Village of Scarsdale Board of Trustees
Village Hall
1001 Post Road
Scarsdale, New York 10583

Re: **Garden Road Neighbors Group – Request for Development Moratorium**

Dear Mayor Veron and Members of the Board of Trustees:

Our firm represents a group consisting of twenty-nine (29) Village residents that live on Garden Road, Cushman Road, Willow Lane and Sheldrake Road (the “Garden Road Neighbors Group”).

On February 9, 2022 we wrote to the Board to express the Group’s concerns regarding flooding in the Village. We urged the Board to consider a temporary moratorium on development in areas of the Village most prone to flooding while the Village works toward enactment of stricter regulations as recommended by the Village’s engineer last year and as expressly represented in the Hazard Mitigation Plan (“HMP”) adopted by this Board in January 2022.

At the March 8, 2022 meeting, the Board expressed reluctance to consider a proposed moratorium. Instead, the Village Manager stated that the Village would not be in a position to consider a moratorium until the Village had further studied flooding issues and was ready to propose concrete changes to the Village Code. This response is very disappointing and concerning, particularly in light of other statements made at the meeting that the Board had not even entertained further conversations on the topic and that regulatory changes would be addressed “in due course.”

As explained by Helen Maccarino at the March 8 meeting, our clients’ properties (as well as many other Village residents) remain at risk while the Village delays in its implementation of action it has acknowledged as necessary “to reduce or eliminate damage to property and people” but nevertheless allows development to continue unabated in the interim. (HMP at 9.43-1). The Village appears to have not made progress on its promise to prepare a local law addressing flood risk, which it represented would be introduced “soon” for “subsequent consideration and

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adoption.” (HMP at 9.43-29). The Village’s schedule is another reason that a temporary moratorium is eminently reasonable and necessary -- a moratorium would afford protection against development in sensitive drainage areas until stricter rules are adopted.

In addition to supporting a limited and temporary moratorium, our clients are ready, willing and able to assist the Village working group, which we understand was formed to consider flooding issues and amendments to the Village Code. Our clients are in the process of retaining an expert who can assist the working group to promptly move toward actionable solutions.

We urge this Board to take focused and expeditious action and to avail itself of the assistance that our clients are offering. We look forward to assisting and collaborating with the Board, Village staff and outside experts to address the flooding problem before another flood disaster.

Respectfully submitted,

MINTZER MAUCH PLLC

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